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REMARKS

I. Status of Claims.

Claims 1-6 are presently pending. Claims 1-6 stand rejected. Claims 7-11 are newly added to further define and emphasize Applicants' invention.

II. Interview.

The courtesy of the Examiner's interview with counsel for the Applicants, John C. Serio, on October 28, 2002 is gratefully acknowledged. Counsel explained that due to a miscommunication with Applicants, the amendment filed on October 3, 2002 was filed in error to the extent that claims 1, 3, 4, and 5 were amended. The instant supplemental amendment revises a portion of that amendment. Applicants thank the Examiner for his forbearance in this reversal.

III. Amendment to the claims.

Claims 1, 3, 4 and 5 have been amended. Support for amendments to these claims is found throughout the application with particular reference to paragraphs 2, 12, 13, 43, 44, 47 and 50. Support for newly added claims 7-11 can be found throughout the application with particular reference to paragraphs 6 and 42. No new matter or issues are believed to be introduced by these amendments.

IV. Rejection of claims 1-5 under 35 USC 112, second paragraph.

In the Office Action dated July 3, 2002 the Examiner objected to claims 1-5 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as their invention. Specifically, the

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Examiner objected to the phrase "an effector for reducing enzymatic activity of DPIV and DPIV analogous enzymes" in claim 1 as being confusing and therefore failing to clearly point out Applicants' invention. The Applicants without traverse, through their attorney, in their first response filed on October 3, 2002 amended the claims to specify that the effectors are inhibitors that act to reduce enzymatic activity in accordance with the description in the specification.

As was explained during the telephonic interview, this substitution of inhibitors for the word effectors within the rejected claims was made inadvertently and contrary to the Applicants' wishes. The Applicants have respectfully withdrawn this amendment and have replaced the word inhibitors with the word effectors as contained within the originally filed claims. The Applicants respectfully traverse the Examiner's rejection of claims 1-5 under section 112 second paragraph.

Within the specification the word effectors is contained within the following paragraphs 2, 12, 13, 43, 44, 47 and 50. The use of the word effectors is described within these paragraphs to express an activity upon DP IV and DP IV analogous enzymatic activity that is not restricted to the inhibition of enzymatic activity but more clearly that of an effect upon these enzymes that results in the modulation of their activity. In particular, in paragraph 47 of the instant specification the effectors are described not only as inhibitors, but also "substrates, pseudosubstrates, inhibitors of DP IV expression, binding proteins or antibodies to those enzyme proteins or combinations of those different substances that reduce the DP IV or DP IV analogous protein concentration in the mammalian organism." (Applicants' specification paragraph 47). A complete reading of the Applicants specification clearly sets forth what is meant by the use of the

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word effectors and therefore the Applicants would respectfully request that this rejection be withdrawn.

V. Newly added Claims 7-11.

The Applicants have added claims 7-11. These added claims result in a total of 3 independent claims and 8 dependant claims. No additional fees are believed due

CONCLUSION

For the foregoing reasons and amendments, Applicants believe this application is in condition for allowance which is respectfully requested. In accordance with 37 CFR 1.21 (c)(1)(ii) a marked up version of the amendment claims is attached as Appendix A to this response.

Respectfully submitted,


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APPENDIX A

1. (TWICE AMENDED) A method of raising the blood sugar level in a mammal having hypoglycemia by reducing degradation of glucagon, said method comprising administering to said mammal a therapeutically effective amount of an effector [inhibitor] for reducing enzymatic activity of dipeptidyl peptidase (DP IV) and DP IV-analogous enzymes.

3. (TWICE AMENDED) The method of claim 1, wherein the effector [inhibitor] is selected from the group consisting of DP IV enzyme inhibitors, substrates of DP IV, pseudo-substrates of DP IV, inhibitors of DP IV expression, proteins that bind DP IV or antibodies to DP IV and combinations thereof.

4. (TWICE AMENDED) The method of claim 1, wherein the effector [inhibitor] for reducing enzymatic activity is employed together with glucagon or analogues thereof.

5. (AMENDED) The method of claim 1, wherein the effector [inhibitor] for reducing enzymatic activity is employed in combination with physiologically acceptable adjuvants and/or excipients.

7. (ADDED) A method of raising the blood sugar level in a mammal having hypoglycemia by reducing degradation of glucagon, said method comprising administering to said mammal a therapeutically effective amount of a compound having a means for modulating enzymatic activity of dipeptidyl peptidase (DP IV) and DP IV-analogous enzymes.

8. (ADDED) The method of claim 7, wherein the blood sugar level in the serum of mammalian organism is raised above the glucose concentration characteristic of hypoglycemia.

9. (ADDED) The method of claim 1, wherein said compound is selected from the group consisting of DP IV enzyme inhibitors, substrates of DP IV, pseudo-substrates of DP IV,

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inhibitors of DP IV expression, proteins that bind DP IV or antibodies to DP IV and combinations thereof.

10. (ADDED) The method of claim 7, wherein said means for modulating enzymatic activity is employed together with glucagon or analogues thereof.

11. (ADDED) The method of claim 7, wherein said means for modulating enzymatic activity is employed in combination with physiologically acceptable adjuvants and/or excipients.